

PROB 12C
(7/93)

United States District Court

for

District of New Jersey

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Michael W. Mitchell

Docket Number: 01-00720-001

PACTS Number: 4675

Name of Sentencing Judicial Officer: HONORABLE Joseph A. Greenaway, Jr.

Date of Original Sentence: 04/22/2002

Original Offense: ROBBERY - BANK

Original Sentence: 63 month imprisonment; 3 years supervised release.

Type of Supervision: supervised release

Date Supervision Commenced: 04/23/07

Assistant U.S. Attorney: Brian Howe, 970 Broad Street, Room 502, Newark, New Jersey 07102, (973) 645-2700

Defense Attorney: Stacy Biancamano, 972 Broad Street, 2nd Floor, Newark, New Jersey 07102, (973) 645-6347

PETITIONING THE COURT

☒ To issue a warrant

☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 1 The offender has violated the supervision condition which states 'You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.'

The offender failed to report to the probation office on May 12, 2009, May 26, 2009, and June 26, 2009.

- 2 The offender has violated the supervision condition which states 'As a condition of supervision, you are instructed to pay restitution in the amount of \$8,148.00 to victim bank; it shall be paid in the following manner: \$25 per month.'

The offender has not paid any restitution monies while under supervision.

- 3 The offender has violated the supervision condition which states 'The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.'

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a.) The offender reverted to drug use as evidenced by his own admission and by drug test results.

On June 2, 2009, the offender tested positive for cocaine, codeine, hydromorphone, and morphine(C01260014). On June 11, 2009, the offender admitted abusing heroin and cocaine. A urine sample taken that same date tested positive for codeine, morphine, and hydromorphone (C01260018). On July 28, 2009, the offender tested positive for codeine, morphine, and cocaine(C00973980).


b.) On May 4, 2009, the offender was instructed to commence code-a-phone (mandatory drug testing). The offender failed to report for code-a-phone drug testing on May 6, May 20, May 29, 2009, or anytime thereafter.

c.) The offender failed to report for his outpatient drug treatment intake appointment at St. Claire's in Boonton, New Jersey, on May 11, 2009.

d.) The offender failed to keep daily outpatient drug treatment appointments at the Cope Center in Montclair, New Jersey, between June 15-June 18, 2009; between June 24-June 26, 2009; July 1, July 2, 2009; between July 7-11, 2009, and July 15, July 16, and July 17, 2009.

e.) The offender failed to keep appointments for inpatient drug treatment admission at Turning Point in Secaucus, New Jersey, on August 7, and August 11, 2009.

I declare under penalty of perjury that the foregoing is true and correct.


By: Norma de Armas
Senior U.S. Probation Officer
Date: 08/12/09

THE COURT ORDERS:

- ☒ The Issuance of a Warrant
☐ The Issuance of a Summons. Date of Hearing: _____
☐ No Action
☐ Other


Signature of Judicial Officer

8-17-09
Date